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Written statement* submitted by the Baha'i International Community, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Accusations against the Bahá'í Community in Iran

In October 2013, the Islamic Republic of Iran produced a lengthy response to the interi. report of the Special Rapporteur, Dr. Ahmad Shaheed, to the 68th session of the U.N. General Assembly. Part . f this document addressed the situation of the Bahá'ís in Iran in an erroneous manner.[1] Thus the Bahá'í International Community feels it is necessary to dissipate the misrepresentations contained in that document.

Despite the Iranian government's assurances that "the citizenship rights of other faiths including Bahá'ís are entirely observed" and that "no individual is expelled from university or sent to a prison for merely holding certain beliefs", the systematic action of the government to oppress Bahá'ís and deny them of the very rights it claims to uphold are well documented.

In order to justify its actions to the community of nations, Iran has made false allegations that Bahá'ís are targeted only if they violate the rights of others, or that their exercise of religious expression somehow violates the rights of others. Iran asserts that Article 23 of the constitution forbids the "molestation" and "investigation" of a person for simply holding a belief; however, its application is conditional on the "observance of duties and legal responsibility". Which "duties and legal responsibilities" expected of Iranians are allegedly not upheld by Bahá'ís?

Moreover, what Iran omits is that Article 14 of the same document is then used to justify the persecution of non-Muslims judged to be "engaging in conspiracy or activity against Islam", excluding them from the protection of the Constitution. Since belief in the Bahá'í Faith is considered heresy, the Iranian government designates allegiance to, or practice of, the faith as illegal and then justifies its oppression of Bahá'ís on the basis of their being engaged in illegal activities. In effect, this allows judges to criminalize the faith, which is reflected in charges brought against members of the Bahá'í community throughout Iran. Mr. Sarang Ettehadi, for example, was charged with "propaganda against the regime". When Mr. Ettehadi appeared before the court in January 2014, the judge unlawfully annexed an additional crime of "membership in an illegal organization in order to disturb national security". Both charges are solely based on Mr. Ettehadi's membership in the Bahá'í Faith. For the judge, a gathering of Mr. Ettehadi and two of his friends to say prayers amounted to "propaganda against the regime" and could "disturb national security". Can it not then be concluded that Iran's assertion that the rights of Bahá'ís are observed is a mere pretence?

Iran, again, cites Article 23 of the Iranian constitution to prove that students are not denied an education for holding a certain belief; however, they continue to enforce circulars that require school administrators to dismiss or expel students once it is discovered that they are Bahá'ís. The policy is based on a confidential memorandum dated 25 February1991, written by the Secretary of the Supreme Council of the Cultural Revolution (SCCR) drafted under the instructions of the Supreme Leader to create a concrete policy "devised in such a way that everyone will understand what should or should not be done". The memorandum explicitly states that, as concerns the Bahá'ís "**the Government's dealing with them must be in such a way that their progress and development are blocked".** It then specifically instructs when it comes to the education of Bahá'í youth that **" preferably, they should be enrolled in schools which have a strong and imposing religious ideology"** and **"they must be expelled from universities, either in the admission process or during the course of their studies, once it becomes known that they are Bahá'ís".**

Iran claims that it does not deny anyone access to education on account of religion. However a 2006 letter sent to 81 universities by the Ministry of Science, Research, and Technology not only explicitly refers to the 1991 Memorandum, but further states that **"if Bahá'í individuals, at the time of enrolment at university or in the course of their studies, are identified as Bahá'ís, they must be expelled from university. Therefore, it is necessary to take measures to prevent the further studies of the aforementioned [individuals] and forward a follow-up report to this Office".**[2] In January this year, a Bahá'í university student received a letter from the same Ministry informing him that he may no

[1] See http://shaheedoniran.org/wp-content/uploads/2013/09/Comments-by-the-Islamic-Republic-of-Iran-on-the-draft-report-of-the-Special-Rapporteur.pdf

[2] Both documents can be found at http://www.bic.org/key-documents-government-islamic-republic-iran-regarding bahai-community

longer attend university "for reasons of belief". That we cannot provide the student's name for fear of reprisals against him clearly indicates the climate in the country.

It is alleged that Bahá'ís "are active and commit illegal and provocative activities in the Iranian universities, defying laws of the higher education system of Iran" and that these violate article 19(2) and article 18(3) of the ICCPR: public safety, public order, public health, public morals, fundamental rights and freedoms of others, rights and reputations of others, national security. Which of these are Bahá'ís accused of violating at Iranian universities? –All of them? The government has never cited cases to substantiate this. Where is the evidence of activities inciting 'sentiments of majority of university students, professors and administrative staffs, leading to disturbance of university order'? Which international human rights and domestic Iranian laws do the Bahá'ís violate?

As a result of being unable to bring forth any real evidence of illegal activity to the con..nunity of nations, Iran has had to resort to mistranslating and using letters out of context that are addressed to the Bahá'í youth by the Universal House of Justice. Here, two points need to be clarified. Firstly, in the Bahá'í Faith there is no clergy. Rather, the affairs of Bahá'í communities are guided and administered by elected and appointed bodies that operate on the local, national, and international levels. The Universal House of Justice is the international governing council of the Bahá'í Faith and its supreme administrative body. Iran has taken upon itself the right to proclaim that, the governing body of a faith, the Universal House of Justice, whose seat is outside of Iran, is an "outlawed organization", and any guidance received from them is an illegal activity. This is an outright disregard of freedom of religion or belief.

Secondly, these letters, used as evidence by Iran, are in fact messages by the Universal House of Justice intended to encourage and give hope to the Bahá'í youth who otherwise face obstacles created as a result of the persecution and prejudice imposed on them by their own government. Iran, however, in quoting from the letters, mistranslates the term "teaching" into "propaganda", then uses it out of context to appear as a diabolical scheme and illegal activity, which in turn is used to justify the expulsion or outright denial of university education to Bahá'í students.

The government has also attacked and outlawed the Bahá'í Institute for Higher Education (BIHE), which was established out of necessity by a community that had no other way to educate its youth. BIHE is solely for Bahá'í students, therefore the government's concern that Bahá'ís will influence fellow classmates is clearly a means to deny them education. What else could this suggest but a plan to suffocate the Bahá'í community and use education as one of its primary tools?

If the Iranian government indeed upholds the Islamic doctrine that "investigation of belief is strongly forbidden", why then are Bahá'ís prohibited from engaging in a wide-ranging number of trades and professions and from being employed in the civil service, solely on account of their religion? Why are Bahá'í-owned businesses summarily shut down, business licenses denied to Bahá'ís, and those Muslims who employ, or lease business space to, Bahá'ís harassed by Iranian government officials into firing their Bahá'ís employees or terminating their leases?

In what ways has the Government upheld the right of Bahá'ís and others to manifest their religion in public and in community with others in accordance with article 18(1)? This specifically includes the right to manifest in "worship, observance, practice and teaching". Ironically, Iran cites section 3 of Article 18 of the ICCPR to give merit to their justification; yet they ignore the preceding text that recognizes the right to believe in the religion of one's choice. Service to others and to society, and responding to questions posed by interested fellow Iranians, are part of the spiritual duty of the Bahá'í Faith. The right to practice and teach one's faith is enshrined in Article 18 and, as a signatory, Iran must uphold this right.